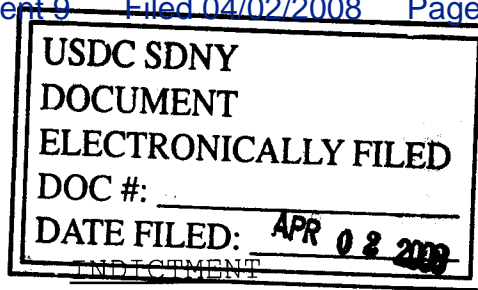


**JUDGE KEENAN**



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

OFACIO FALCON, and  
JOSE SANTIAGO,

Defendants.

**08 CRIM 291**

COUNT ONE

The Grand Jury charges:

1. On or about March 21, 2008, in the Southern District of New York and elsewhere, OFACIO FALCON and JOSE SANTIAGO, the defendants, together with others known and unknown, unlawfully, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit robbery, as that term is defined in Title 18, United States Code, Section 1951(b)(1), and would and did thereby obstruct, delay, and affect commerce and the movement of articles and commodities in commerce, as that term is defined in Title 18, United States Code, Section 1951(b)(3), to wit, FALCON and SANTIAGO, together with others known and unknown, conspired to commit an armed robbery of a person in possession of cartons of cigarettes in the vicinity of 200 E. 135<sup>th</sup> Street, Bronx, New York.

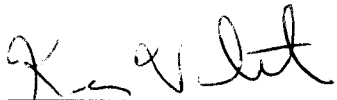
(Title 18, United States Code, Section 1951.)

COUNT TWO

The Grand Jury further charges:

2. On or about March 21, 2008, in the Southern District of New York and elsewhere, OFACIO FALCON and JOSE SANTIAGO, the defendants, unlawfully, willfully and knowingly, during and in relation to a crime of violence for which they may be prosecuted in a court of the United States, namely, the offense charged in Count One of this Indictment, did use and carry a firearm, and in furtherance of such crime did possess a firearm, and did aid and abet the use, carrying, and possession of a firearm, to wit, a semi-automatic pistol, which was brandished during the robbery referenced in Count One of this Indictment.

(Title 18, United States Code, Sections 924(c)(1)(A)(ii) and 2.)



FOREPERSON



MICHAEL J. GARCIA  
United States Attorney

---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

UNITED STATES OF AMERICA

- v. -

OFACIO FALCON and  
JOSE SANTIAGO,

Defendants.

---

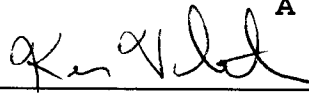
INDICTMENT

08 Cr.

(18 U.S.C. §§ 1951, 924(c)(1)(A)(ii), and 2)

MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL



Foreperson.

---

CASE ASSIGNED TO

INDICTMENT FILED. USDJ KEENAN

FOX, M.J.

04/02/08  
